

REMARKS

Claims 1–9 and 12–18 are pending in this application. By this Amendment, claims 1 and 2 are amended and claims 10 and 11 are canceled. Support for the amendment to claim 1 can be found, for example, in canceled claims 10 and 11. No new matter is added. Applicants request reconsideration and prompt allowance in view of at least the following remarks.

The Office Action rejects claim 2 under 35 U.S.C. §112, second paragraph, as indefinite for failing to particularly point out and distinctly claim the subject matter regarded as the invention. Applicants amend claim 2 to clearly recite the subject matter and request withdrawal of the rejection.

The Office Action objects to claims 7–11, 13 and 14 as dependent upon a rejected base claim but notes the claims would be allowable if rewritten in independent form. Applicants appreciate the Examiner's notice of allowable subject matter in view of the objection.

The Office Action rejects claims 1, 4–6, 12 and 16–18 under 35 U.S.C. §102(a) as anticipated by WO 03/036667 (WO '667). The Office Action rejects claims 1, 5, 6, 15 and 16 under 35 U.S.C. §103(a) over EP 0 923 094 (Tokuoka). The Office Action rejects claims 1–5 under 35 U.S.C. §103(a) over WO 02/074715 in view of U.S. Patent No. 6,602,370 (Kuramitsu). The Office Action rejects claim 1, 4–6, 12, 15, 17 and 18 under 35 U.S.C. §103(a) over JP 2002-260954 in view of Takuoka. The Office Action provisionally rejects claims 1 and 5 on the grounds of nonstatutory obviousness-type double patenting over claims 1, 13 and 14 of co-pending U.S. Application No. 10/540,774 in view of Kuramitsu.

Applicants amend claim 1 by incorporating the allowable features of claims 10 and 11. As the Office Action notes that claims 10 and 11 would be allowable if rewritten in independent form, Applicants assert that claim 1 is patentable over the cited references. As

claims 2-9 and 12-18 depend from claim 1, claims 2-9 and 12-18 are also patentable over the cited references, at least in view of the patentability of claim 1, as well as for the additional features the claims recite. Applicants respectfully request withdrawal of the above rejections.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-9 and 12-18 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,

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